

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was **not** written for publication in a law journal and (2) is **not** binding precedent of the Board.

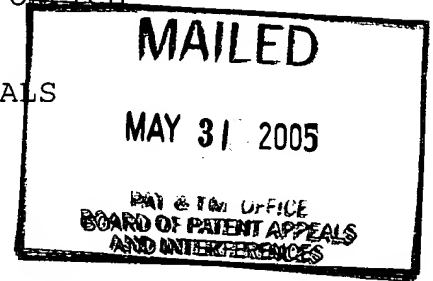
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte HIROSHI TAKENO

Application No. 09/926,202

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



This application was received electronically at the Board of Patent Appeals and Interferences on April 14, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On November September 24, 2001, an Information Disclosure Statement (IDS) was filed. A review of the Image File Wrapper reveals that the IDS has not been considered by the examiner. The IDS needs to be considered by the primary examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellants of the primary examiner's decision is required.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner for consideration of the IDS, and for further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

KIMBERLY JORDAN  
Program and Resource Administrator  
(571) 272-9797

KJ/dal

Arent Fox Kintner Plotkin & Kahn  
Suite 600  
1050 Connecticut Avenue NW  
Washington DC 20036-5339